

III. REMARKS

Claims 1-4, 6-8, 10-14, 16-19, 21-22, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Frid.

The independent claim are amended such that the message for maintaining the data transmission connection is further defined to include a feature of "the message comprising a command to reset a maintenance counter in the application server to monitor the state of the terminal for re-establishing the packet data transmission". This is disclosed, e.g., on page 9, line 25, through page 10, line 2.

Accordingly, the amended claims define a method, terminal, communication system, and computer program product, wherein an application server indicates that a bearer connection will be interrupted, and the data connection of the applications are maintained such that time-out of the applications is prevented by resetting a maintenance counter in the application server. Thereafter, the application server monitors the state of the terminal, and when the circuit-switched connection is terminated, the packet data connection of the applications can be re-established.

Frid addresses the problem of the timed-out connections (col. 8, line 39), while at the same time Frid admits that the Frid's solution does not work, if the connection has been timed out (on the server side). Accordingly, Frid does

not teach informing the applications that the bearer connection is temporarily cut off, which is the reason why Frid's solution does not solve the problem of the timed-out connections. Furthermore, Frid does not teach resetting a maintenance counter or the like to prevent the connections to be timed-out. A skilled man would not receive any hints for solving said problems from Frid, since Frid is silent about indicating to the applications that the computer connection should be maintained.

For all of the above reasons, the rejection of claims 1-4, 6-8, 10-14, 16-19, 21-22, and 24 under 35 U.S.C. 102 on Frid should be withdrawn.

Also, as explained above, Frid does not suggest the above limitations since it does solve the same problems as the present invention. Thus these claims are not obvious over Frid.

Claims 5, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frid in view of Chen.

Chen discusses only circuit-switched call signalling. In the first place, there is a two-party telephone call, whereby Chen provides a solution as to how to add a third party to an existing two-party telephone conversation (col.6, lines 15-63). Even then, all the terminals in Chen have only an active connection instead of two connections. Chen does not even mention a data connection. Thus, a skilled man has no motivation to combine Chen with Frid, but even if nevertheless combined, such a combination would not give a skilled man any hints for indicating to an

Thus the rejection of claims 5,15, and 20 should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$910.00 is enclosed for the "RCE" fee as well as a one-month extension of time fee. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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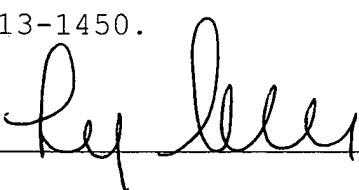
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